

# Town of North Hempstead

*Chairman*  
David L. Mammina, R.A.,  
A.I.A.

*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

### NOTICE OF DECISION

**APPEAL #20014 - Bruce Boyd**, variance 70-100.2.A(2) to maintain fencing beyond the front building line; W/side 72 Virginia Dr., 187.37' S/of Thompson Shore Rd., Manhasset, Sec. 3, Blk. 60, Lot 10, R-C District.

**WHEREAS**, an application (15-103678) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Vincent L. Pirro, R.A., dated October 26, 2011.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

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### NOTICE OF DECISION

**APPEAL #20015 - Bhagyavan Umpathy**, variance 70-50.B to construct additions within a required front yard setback; N/E/cor. 1672 New Hyde Park Rd. and Baxter Ave., New Hyde Park, Sec. 8, Blk. 171, Lot 152, R-C District.

**WHEREAS**, an application (15-104004) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Emilio Susa, R.A., dated January 2, 2015 and revised through April 22, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye:      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
            Chairman Mammina

  
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### NOTICE OF DECISION

**APPEAL #20016 – Maria Cristina Zaccarini**, variance 70-50.A to maintain an enclosed porch within a required front yard; W/side #22 Tuxedo Ave., 205' N/of Vale Ct., New Hyde Park, Sec. 9, Blk. 493-1, Lot 8, R-C District.

**WHEREAS**, an application (14-110235) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location as shown on drawings prepared by Robert Louis Campagna, R.A., dated November 19, 2014 and revised through February 18, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine                      Seconded by:    Member Francis  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                  Chairman Mammina

  
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## NOTICE OF DECISION

**APPEAL #20018 – Paul Katz**, variance 70-100.2(G) to maintain a portable shed exceeding permitted area; N/W/C #61 Barnyard Ln. & Bucket Ln., Roslyn Heights, Sec. 9, Blk. 541, Lot 12, R-AA District.

**WHEREAS**, an application (15-102775) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Ralph Anderson, L.L.S., dated March 9, 2006

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by:      Member Levine  
Aye:      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                Chairman Mammina

  
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## NOTICE OF DECISION

**APPEAL #20019** – Anthony Amalfitano, variance 70-100.2.A(4)(b) to maintain fencing exceeding permitted height and forward of the building line; N/side #27 Cromwell Rd., 784.69' E/of Langdon Rd., Carle Place, Sec. 9, Blk. 595, Lot 13, R-B District.

**WHEREAS**, an application (15-102141) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by John P. Ferrantello, L.L.S., dated June 4, 2009.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe                      Seconded by: Member Francis  
Aye:              Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                         Chairman Mammìna

  
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## NOTICE OF DECISION

**APPEAL #20023 – C&P Real Estate Holdings, LLC**, appeal for determination, or in the alternative, conditional use 70-184.3.B & variance 70-103.A to permit interior alteration of office space to food use with insufficient off-street parking; End/of #99 Seaview Blvd., 597.69' W/of Osprey Ct., Port Washington, Sec. 6, Blk. 89, Lot 54, MPIP District.

**WHEREAS**, an application (15-104000) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

The conditional use permit is **GRANTED**, of the dimension and in the location shown on drawings prepared by Giovanni E. Coello, R.A., dated September 29, 2014 and revised through March 20, 2015, and **SUBJECT TO THE CONDITIONS IN THE ATTACHED RIDER**.

The request for a determination is **DENIED** as moot.

## SEE ATTACHED RIDER

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by:    Member Aloe  
Aye:            Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina  
Absent:        Member Francis

  
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# **Board of Zoning Appeals**

## **Town of North Hempstead**

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**Rider to Appeal # 20023**

**C&P Real Estate Holdings, LLC**

**End/of #99 Seaview Blvd., 597.69' W/of Osprey Ct., Port Washington**

**Section: 6 Block: 89 Lot: 54**

1. That the applicant shall install and maintain a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed dining facility at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to approval and/or issuance of a Certificate of Occupancy or Completion.
2. At no time may there be more than 79 seats on the premises. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and the applicant must make a new application to the Board in order to continue the dining facility use.
3. That the use of such dining facility shall be limited to the tenants, employees, and invitees of C&P Real Estate Holdings, LLC.
4. That the applicant shall comply with all laws, ordinances, rules and regulations of all public authorities having jurisdiction over the premises and that no Certificate of Occupancy or Completion shall be issued until absolute compliance has been proven to the Commissioner of the Buildings.
5. That neither the applicant, the owner, nor the operator of this dining facility shall advertise its existence outside the building. There shall be no signs for the dining facility outside the building.
6. That the conditional use permit set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the applicant is not in compliance with these conditions, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the premises as a restaurant/food use.

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### NOTICE OF DECISION

**APPEAL #20025 - Joseph Valentine**, variances 70-194, 70-192.A to permit the continued use of existing steel fencing exceeding the permitted height and the maintenance of entrance gates with insufficient setback; W/side 51 Kinkel St., 375' S/of Main St., Westbury Section: 11, Block: 75, Lot: 69, I-B District.

**WHEREAS**, an application (15-103857) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location as shown on drawings submitted with the application and received by the Board on May 14, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by:	Member Levine	Seconded by:	Vice Chairman McCarthy
Aye:	Member Levine, Vice Chairman McCarthy, Chairman Mammina		
Nay:	Member Aloe		
Absent:	Member Francis		

  
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## NOTICE OF DECISION

**APPEAL #19913 – Manuel Valente**, variances 70-48, 70-49.B, 70-51.A, 70-100.1.F, 70-100.1.A, 70-100.2.A.4.b & 70-100.2.A.2 to maintain a one-story addition to single-family dwelling exceeding the permitted lot coverage and floor area, within required side yard, a garage in a side yard and fencing exceeding the permitted height and in a front yard; S/side #214 Roslyn Ave, 200' E/of Jamaica Blvd., Carle Place, Sec. 10, Blk. 6, Lot 13, R-C District.

**WHEREAS**, an application (14-110825) were filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared Dennis M. Mele, R.A., dated April 24, 2014 and revised through February 26, 2015 and a survey prepared by Apolonio Q. Agujo, L.L.S., dated March 28, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Francis

Seconded by: Vice Chairman McCarthy

Aye: Member Francis, Member Levine, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammìna

A stylized, handwritten signature in black ink, appearing to read "J. Fielding", is written over a horizontal line.  
**JONATHAN P. FIELDING**  
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## NOTICE OF DECISION

### AMENDED NOTICE OF DECISION

**APPEAL #19990 - Christine Stampfel**, variances 70-100.1.B, 70-101.B, and 70-208.F to maintain a portico on a non-conforming dwelling in a required front yard and an accessory structure (shed) in a required side yard setback and in a secondary front yard; N/side 208 Aster Dr., 240' W/of Tryon Ct., New Hyde Park, Sec. 8, Blk. 302, Lot 31, R-B District.

**WHEREAS**, an application (15-102770) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, the Board granted the appeal in part on May 20, 2015 and continued the matter, at a meeting of the Board held on **JUNE 24, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Anthony J. Febrizio, R.A., dated October 4, 2014 and revised through February 6, 2015 and a survey prepared by Vincent Teutonico, L.L.S., dated June 4, 2013.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Member Aloe

Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy

Absent: Member Francis, Chairman Mammina

  
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